

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Withdrawn-Currently Amended): A process of preparing beverages from beverage preparations, comprising the steps of:

- supplying an amount of liquid to a capsule [(1)] containing a beverage preparation to prepare a beverage,
- forming a dispensing opening [(11)] that has a dispensing area, through which said beverage can flow from inside said capsule to outside said capsule,
- dispensing the thus obtained beverage from said capsule through said dispensing opening, and changing an area of said dispensing opening [(11)] at least twice by increasing and decreasing the area during said step of dispensing the thus obtained beverage from said capsule, before all said beverage has been dispensed.

Claim 2 (Withdrawn-Currently Amended): The process according to claim 1, comprising a further step of increasing said area of said dispensing opening [(11)].

Claim 3 (Withdrawn-Currently Amended): The process according to claims 1 or 2, wherein said changing of said area of said dispensing opening [(11)] ~~are~~ is obtained according to the pressure built up within said capsule by the liquid fed to the capsule.

Claim 4 (Withdrawn-Currently Amended): The process according to claim 3, wherein said dispensing opening [(11)] is formed between a puncturing member [(9)] fitted in one wall [(F)] of said capsule [(1)] and an edge [(3)] of said wall which surrounds said puncturing member, and

~~in that~~ wherein the edge of said wall [(F)] is substantially adherent to said puncturing member [(9)] at a beginning of the step of feeding the liquid into the capsule, moves away from said member [(9)] in order to form said dispensing opening [(11)] upon pressurization of said capsule, and returns to an at least partially closed position after an amount of beverage has been dispensed from the capsule but before all the beverage has been dispensed.

Claim 5 (Withdrawn-Currently Amended): The process according to claim 3, wherein said dispensing opening [(11)] is formed between one wall of said capsule [(F)], a movable outlet lid portion of said wall [(1b)] and an opening element [(9a)] of said movable outlet lid portion [(1b)] and wherein said outlet lid portion [(1b)] is in a closed position at the beginning of the step of feeding liquid to the capsule, moves into an open position after said capsule has been pressurized by said liquid, and moves to an at least partially closed position after an amount of beverage is dispensed from the capsule but before all the beverage has been dispensed.

Claim 6 (Withdrawn-Currently Amended): A process according to claim 1 or 2, wherein said opening is formed when the pressurized liquid inside said capsule pushes an outlet lid portion [(1b, 16)] of the capsule bottom wall [(F)] outwardly of said capsule.

Claim 7 (Currently Amended): A capsule [(1)] for the preparation of beverages from soluble preparations after a liquid has been fed to said capsule, said capsule ~~having~~ comprising:

a dispensing wall [(F)] and a dispensing wall lid portion ~~(1b, 16)~~ which ~~can be open~~ opens to form a dispensing opening [(11)] for said beverage, ~~characterized in that~~

wherein said capsule ~~comprises~~ includes means for varying an area of said dispensing opening ~~[[11]]~~ at least twice during dispensing the beverage from said capsule.

Claim 8 (Currently Amended): The capsule according to claim 7, wherein said means for varying said area of said dispensing opening ~~comprise hinge means (7, 4a, 17).~~

Claim 9 (Currently Amended): The capsule of claim 8, wherein said hinge means are provided on the dispensing wall ~~[[F]]~~ of the capsule in which said opening ~~[[11]]~~ is formed, to impart an oscillating movement to said wall ~~[[F]]~~ during said dispensing.

Claim 10 (Currently Amended): The capsule according to ~~one of the claims 8 to 9~~ claim 8, wherein said hinge means are hinges ~~[[17]]~~ connecting that connect said ~~outlet dispensing wall~~ lid portion ~~(1b, 16)~~ to said dispensing wall ~~[[F]]~~, and said hinges ~~[[17]]~~ biasing bias said lid portion ~~(1b, 16)~~ to return to an at least partially closed position after having been stressed into the open position before all the beverage has been dispensed.

Claim 11 (Currently Amended): The capsule according to claim 7, wherein at least part of said dispensing wall ~~[[F]]~~ has a rigidity within a range of 10 to 55 N/mm measured by compression with a punch ~~[[6]]~~ and deflection set to 3 mm.

Claim 12 (Currently Amended): A capsule ~~[[1]]~~ for the preparation of beverages from soluble preparations after a liquid has been fed into said capsule, said capsule ~~having~~ comprising:

a dispensing wall ~~[[F]]~~ including ~~[[a]]~~ an outlet lid portion ~~(1b, 16)~~ to form a dispensing opening ~~[[A]]~~ for said beverage, ~~characterised in that~~ wherein at least part of

said dispensing wall [(F)] has a rigidity within the range of 10 to 55 N/mm measured by compression with a punch and deflection set to 3 mm such that an area of the dispensing opening changes at least twice during dispensing of the beverage.

Claim 13 (Currently Amended): The capsule according to [(any)] claim 8 [(to 9)], wherein a thickness of said dispensing wall [(F)] in the area surrounding [(8)] said ~~outlet~~ dispensing wall lid portion [(1b)] is greater than a thickness of said bottom wall adjacent [(7)] side walls ~~(L, 1a)~~ of the capsule.

Claim 14 (Currently Amended): The capsule according to claim 13, wherein said dispensing wall [(F)] is inclined convergent towards said dispensing wall lid portion [(1b)] and wherein an angle of inclination [(a)] of said wall towards said dispensing wall lid portion is within the range of 1 to 15 degrees.

Claim 15 (Withdrawn-Currently Amended): The use of a capsule with a dispensing group comprising a puncturing member [(9)] which is housed within said dispensing opening [(11)] during said dispensing, wherein a size of said puncturing member portion engaging said bottom wall [(F)] of the capsule [(1)] is equal to or greater than a size of said openable portion [(1b)] of the bottom wall [(F)].

Claim 16 (Withdrawn-Currently Amended): The use of a capsule according to claim 15 with the dispensing group comprising an opening member [(9a)] engaging said outlet lid portion [(1b, 16)] opening when said capsule is pressurised during said feeding step in order to form a dispensing opening.

Claim 17 (Withdrawn-Currently Amended): A device for the preparation of beverages from soluble preparations, comprising capsule receiving means of a capsule and a puncturing member [(9)] for perforating a dispensing wall [(F)] of said capsule and forming a dispensing opening [(11)], ~~characterised in that~~ wherein a size of a portion of said puncturing member [(9)] that engages said capsule bottom wall [(F)] is substantially equal to or greater than a size of said lid portion [(1b)] of the bottom wall [(F)].

Claim 18 (Currently Amended): [[A]] The capsule [(C)] for preparing a beverage from food products [(23)] housed within it, according to any claim 7 ~~to 9 or 12~~, further comprising a filter element ~~(13,14,24)~~.

Claim 19 (Currently Amended): [[A]] The capsule [(C)] according to claim 18, wherein said filter element is spaced apart from a bottom wall [(F)] of said capsule via a spacer.

Claim 20 (Currently Amended): [[A]] The capsule [(C)] according to claim 18, wherein said ~~outlet lid portion~~ dispensing wall is [[open]] configured to move outwardly relative to an interior of the capsule.

Claim 21 (New): The capsule according to claim 9, wherein said hinge means are hinges connecting said dispensing wall lid portion to said dispensing wall, said hinges biasing said lid portion to return to an at least partially closed position after having been stressed into the open position before all the beverage has been dispensed.

Claim 22 (New): The capsule according to claim 9, wherein a thickness of said dispensing wall in the area surrounding said dispensing wall lid portion is greater than a thickness of said bottom wall adjacent side walls of the capsule.

Claim 23 (New): The capsule for preparing a beverage from food products housed within it, according to claim 8, further comprising a filter element.

Claim 24 (New): The capsule for preparing a beverage from food products housed within it, according to claim 9, further comprising a filter element.

Claim 25 (New): The capsule for preparing a beverage from food products housed within it, according to claim 12, further comprising a filter element.

Claim 26 (New): A capsule for the preparation of beverages from soluble preparations after a liquid has been fed to said capsule, said capsule comprising:

a dispensing wall and a dispensing wall lid portion which opens to form a dispensing opening for said beverage,

wherein said capsule varies an area of said dispensing opening at least twice during dispensing the beverage from said capsule, and

a hinge connects the dispensing wall lid portion to the dispensing wall and biases the dispensing wall lid portion toward a closed position.